

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

**NOTICE OF PRETRIAL CONFERENCE
CIVIL JURY/NON-JURY TRIALS**

The below matter is set in the Southern Division of this District for a **TRIAL** to be heard during a three-week CIVIL CALENDAR BEGINNING **Monday, January 7, 2019**, at the United States Courthouse, Courtroom 806, 2012 15th Street, Gulfport, Mississippi, Judge Louis Guirola, Jr., presiding.

A PRETRIAL CONFERENCE is ordered in the below case as set forth below before United States District Judge Louis Guirola, Jr., United States Courthouse, 2012 15th Street, Suite 814, Gulfport, MS. pursuant to the attached scheduled. **A date specific for the beginning of the trial will be determined during the Pretrial Conference. The parties should have their calendars available and be prepared to discuss available dates for a firm trial setting.**

I. PRETRIAL CONFERENCE

If settlement is to be discussed in jury cases, counsel are instructed to confer with their clients in advance of the Pretrial Conference and to have their clients, corporate representatives and/or adjusters present or available by telephone at the appointed time. In cases where settlement discussions are contemplated, a memorandum (3 page maximum) setting forth a brief explanation of the case and a candid appraisal of the respective positions, including possible settlement figures, should be forwarded to the court at 2012 15th Street, Suite 814, Gulfport, MS 39501, or via e-mail to chambers, to be received no later than three (3) business days prior to the pretrial conference. This document is not to be exchanged and will be viewed only by the Court. The memorandum will not become a part of the Court file and will be destroyed upon the exhaustion of settlement negotiations. **Do not submit settlement memoranda in non-jury cases.**

In preparing for the Pretrial Conference, please refer to Local Rule 16(j) governing Pretrial Orders and the official form for all pretrial orders. **EXCEPTIONS** to this rule are (1) the requirement of the Magistrate Judge's signature appearing on the Pretrial Order is waived and (2) the Pretrial Order is to be submitted to Judge Guirola at the Pretrial Conference.

II. JURY INSTRUCTIONS

Please refer to Local Rule 51 regarding jury instructions.

III. DEPOSITIONS

In all cases, depositions to be introduced at trial, other than for rebuttal or impeachment purposes, shall be abridged and submitted to Judge Guirola at the Pretrial Conference, in accordance with Rule 16(j)(5)(A), (B), and (C), which requires the designation and marking of

the portions of the deposition to be offered and to which there are objections. Specific objections to deposition testimony shall be included in the Pretrial Order and will be considered by the Court at the Pretrial Conference. Objections not noted in the Pretrial Order are waived.

Video depositions shall be edited prior to trial as stated in Rule 16(j)(5)(D). Specific objections to portions of video depositions shall be noted in the Pretrial Order, and written transcripts of those portions to which there are objections will be considered by the Court at the Pretrial Conference. Objections not noted in the Pretrial Order are waived.

IV. IN LIMINE MOTIONS

Please refer to Local Rule 7(b)(2)(E) regarding in limine motions. **Absent good cause, untimely motions in limine will be summarily denied.**

V. EXHIBITS AND WITNESS LISTS

Prior to trial, exhibits are to be pre-marked, and a list briefly describing each is to be presented to the courtroom deputy clerk (original and one copy of the *exhibits*, original and four copies of the *exhibit list*) at the beginning of trial. (A sample of the exhibit list is enclosed.)

In accordance with Rule 16(j)(2)(G) the pretrial order shall identify exhibits to which there are objections and state precisely the ground for the objection.

Original and four (4) copies of list of proposed witnesses should be presented to the courtroom deputy clerk at the beginning of trial.

VI. CONFLICTS

Counsel are reminded that only conflicts listed in the Case Management Plan Order will be honored during this trial calendar. Any subsequent conflicts not so listed will be considered when scheduling the exact dates of trial, but not necessarily honored.

Should a party or the attorney for said party fail to appear or to follow the directions set out herein, an ex parte hearing may be held and a judgment of dismissal or default or other appropriate judgment entered or sanctions imposed.

VII. ADVISORY FOR LIMITING PERSONAL INFORMATION IN TRANSCRIPTS

The judiciary's privacy policy restricts the publication of certain personal data in documents filed with the court. The policy requires limiting Social Security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. [For criminal cases, also limit home addresses to city and state.] However, if such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for trial lawyers to avoid introducing this information into the record in trial. Please take this restriction into account when questioning

witnesses or making other statements in court. If a restricted item is mentioned in court, the attorney may ask to have it stricken from the record or partially redacted to conform to the privacy policy, or the court may elect to do so on its own motion.

As part of the Fifth Circuit's Implementation of the Electronic Record on appeal, the Court will now scan and docket exhibits offered into evidence at trial and during other evidentiary hearings in civil and criminal cases in which a notice of appeal has been filed. The said exhibits will be available to the public and it is the responsibility of the parties to redact according to the E-government Act of 2002 when presenting exhibits.

Date: November 20, 2018

s/Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

PLAINTIFF(S)

VERSUS

CIVIL ACTION NO. *

DEFENDANT(S)

PLAINTIFF'S EXHIBIT LIST
(or DEFENDANT'S EXHIBIT LIST)

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>SPONSOR</u>	<u>ID</u>	<u>EVIDENCE</u>
P-2 (or D-1)	Briefly describe each exhibit, leaving sponsor, evidence and ID columns blank			(Leave these columns blank, to be completed by court when exhibits are entered)
P-2 (or D-2)	Double space between exhibits			

THIS INSTRUMENT IS AN EXAMPLE ONLY.
DO NOT USE FOR YOUR EXHIBIT LIST.

**PRETRIAL CONFERENCES
BEFORE JUDGE LOUIS GUIROLA, JR.**

<u>Cause No.</u>	<u>Style</u>	<u>Jury</u>	<u>Time</u>
		<u>Status</u>	

Tuesday, December 18, 2018

1:17cv00130-LG-RHW	Gulf Restoration Network v. Oscar Renda Contracting, Inc.	J	9:00 a.m.
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